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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

SALAD, ABDULLAHI ELMI

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 04/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/016,689

Applicant(s)

LENTINI ET AL.

Examiner

Salad E Abdullahi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

1. This application has been reviewed. Original claims 1-23 are pending. The rejections cited stated below.

Specification

2. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01. (see page 19, paragraph 0070, lines 9-10).

Drawings

3. The drawings are objected to because figures 1, 2, 3, 4, and 10 contain shaded areas. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

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the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claim 22 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. the subject matter "simulating" in line 10 was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Double Patenting

6. A rejection based on double patenting of the "same invention" type finds its support in the language of 35 U.S.C. 101 which states that "whoever invents or discovers any new and useful process ... may obtain a patent therefor ..." (Emphasis added). Thus, the term "same invention," in this context, means an invention drawn to identical subject matter. See *Miller v. Eagle Mfg. Co.*, 151 U.S. 186 (1894); *In re Ockert*, 245 F.2d 467, 114 USPQ 330 (CCPA 1957); and *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970).

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A statutory type (35 U.S.C. 101) double patenting rejection can be overcome by canceling or amending the conflicting claims so they are no longer coextensive in scope. The filing of a terminal disclaimer cannot overcome a double patenting rejection based upon 35 U.S.C. 101.

7. Claims 1-23 are provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 1-23 of copending Application No. 10/123-098. This is a provisional double patenting rejection since the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Jamtgaard et al., U.S. Patent No. 6,430,624.

As per claim 1, Jamtgaard discloses a system for collaborative exchange of Web based content information between and among disparate and unrelated content sources, the system comprising:

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at least a web content server (13), disposed at a facility, the facility belonging to a particular content provider, the provider providing content through the web server (see fig. 4 and col. 6, lines 32-67);

a server appliance (44), electronically disposed between the web server and a wide area communication network, the appliance terminating a HTTP session directed to the web server and initiating a HTTP session with the web server as a substitute (see fig. 4 and col. 7, lines 31-47); and

a content collaboration engine (40), the engine hosted on the server appliance, the content collaboration engine further comprising;

a content recognition engine, the recognition engine receiving content from the web server in response to the HTTP session initiated by the appliance, the recognition engine converting received content to DOM, the recognition engine further classifying content in accordance with XML recognition rules 9see fig. 6 and col. 9, lines 48-63); and

a content mapping engine(42) , the mapping engine extracting content definition fields from classified content and requesting related content from collaborating sites, the requested content having content definition fields including values substantially the same as the extracted content definition fields (see col. 8, lines 62 to col. 9, line 39 and col. 10, lines 21-47) .

As per claim 2, Jamtgaard discloses the system according to claim 1, further comprising a content fusion engine, the fusion engine integrating related content received from

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collaborating sites with classified content, the fusion engine converting the fused content to a desired output format (see col. 10, lines 21-47).

As per claim 3, Jamtgaard discloses the system according to claim 2, wherein the desired output format is selected from a group consisting of HTML, WML, XML, and PDF (see col. 4, line 58 to col. 5, line 6).

As per claims 4 and 5, Jamtgaard discloses the system according to claim 2, further comprising:

a network gateway (see fig. 2, element 14);

a network management agent (appliance connection controller) (see col. 7, lines 13-47); and

wherein the server appliance is coupled to the network management agent, the agent configured to redirect HTTP requests made to the content server to the appliance (see col. 7, lines 13-47).

As per claim 6, Jamtgaard discloses the system according to claim 2, further comprising:

a consortium of content sources (see fig. 2, element 13, and col. 4, line 34 to col. 5, line 6);

a content category structure definition (see col. 5, line 54 to col. 6, line 10);

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a request for information protocol (WAP) (see col. 6, lines 54-67); and wherein the content category structure definition comprises a format for categorizing all content sources collaborating in the exchange of content within the consortium(see col. 10, lines 21-47).

As per claim 7-8, Jamtgaard discloses the system according to claim 6, wherein the request for information protocol comprises a format for defining a structure that identifies valid content fields a content provider can be queried against in order to identify and recover content from a specific category categorized by the content category structure definition (see col. 6, lines 54-67).

As per claim 9, Jamtgaard discloses a system for exchanging Web based content information between and among disparate and unrelated content sources, a method for collaborative exchange of related content, the method comprising: providing content through at least a web server, disposed at a facility, the facility belonging to a particular content provider(see fig. 4 and col. 6, lines 32-67); electronically disposing a server appliance between the web server and a wide area communication network, the appliance terminating a HTTP session directed to the web server and initiating a HTTP session with the web server as a substitute; and receiving content from the web server in response to the HTTP session initiated by the appliance(see fig. 4 and col. 7, lines 31-47); converting received content to DOM(see fig. 6, and col. 9, lines 48-63);

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classifying content in accordance with XML recognition rules(see fig. 7, and col. 10, lines 21-47); and

extracting content definition fields from classified content (col. 10, lines 21-47).

As per claim 10, Jamtgaard discloses the method according to claim 9, further comprising: requesting related content from collaborating sites, the requested content having content definition fields including values substantially the same as the extracted content definition fields (see col. 10, lines 48-56); and integrating related content received from collaborating sites with classified content (col. 10, lines 21-47).

As per claims 11, Jamtgaard discloses the method according to claim 10, further comprising the step of converting the fused content to a desired output format, wherein the desired output format is selected from a group consisting of HTML, WML, XML, and PDF (see col. 4, line 58 to col. 5, line 6).

As per claim 13-14, Jamtgaard discloses the method according to claim 11, further comprising: establishing a consortium of content sources (see fig. 2, element 13, and col. 4, line 34 to col. 5, line 6);
defining a content category structure(see col. 5, line 54 to col. 6, line 10);
establishing a request for information protocol; and wherein the content category structure definition comprises a format for categorizing all content sources collaborating

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in the exchange of content within the consortium(see fig. 2, element 13, and col. 4, line 34 to col. 5, line 6);

As per claim 15, Jamtgaard discloses the method according to claim 14, wherein the request for information protocol further comprises means for requesting collaborative information from third party content sources (see fig. 2, element 13).

As per claim 16, Jamtgaard discloses a system for exchanging Web based content information between and among disparate and unrelated content sources, a method for collaborative exchange of related content, the method comprising:

establishing a consortium of content sources (see fig. 2, element 13, and col. 4, line 34 to col. 5, line 6);

defining a content category structure (see col. 5, line 54 to col. 6, line 10);

establishing a request for information protocol(WAP) (se col. 6, lines 54-67); and

wherein the content category structure definition comprises a format for categorizing all content sources collaborating in the exchange of content within the consortium (see col. 10, lines 21-47).

As per claim 17, Jamtgaard discloses the method according to claim 16, wherein the request for information protocol comprises a format for defining a structure that identifies valid content fields a content provider can be queried against in order to identify and recover content from a specific category categorized by the content

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category structure definition (see col. 10, lines 21-47).

As per claim 18, Jamtgaard discloses the method according to claim 17, wherein the request for information protocol further comprises means for requesting collaborative information from third party content sources (see fig. 2, element 13).

As per claim 19-20, Jamtgaard discloses the method according to claim 19, wherein the content category structure definition further comprises a structure tag, the structure tag identifying at least one structure field according to a pre-defined name indicia, the at least one structure field defining a valid field against which a content provider implementing a particular category may be queried against (see col. 7, lines 60-66).

As per claim 21, Jamtgaard discloses the method according to claim 20, wherein the content category structure definition further comprises synonym identification means for associating operative synonym terminology to a category name or structure field lexicography (see col. 10, lines 48-67).

As per claim 22, Jamtgaard discloses a system for collaborative exchange of Web based content information between and among disparate and unrelated content sources, the system comprising:

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at least a web content server (13), disposed at a facility, the facility belonging to a particular content provider, the provider providing content through the web server(see fig. 4 and col. 6, lines 32-67);

a server appliance(44), electronically disposed between the web server and a wide area communication network, the appliance terminating a HTTP session directed to the web server and initiating a HTTP session with the web server as a substitute(see fig. 4 and col. 7, lines 31-47); and

a network client (15), the client operatively responsive to user input commands and coupled to communicate over the wide area communication network(see fig. 4 and col. 7, lines 31-47); and

wherein the server appliance including means for simulating (i.e., representing) said network client to said content server without intervention by the user (see col. 7, lines 31-47).

As per claim 23, Jamtgaard discloses the system according to claim 22, further comprising a proxy URL, the appliance communicating with the content server and accumulating operational documents and pages therefrom, the appliance compiling said documents and pages into said proxy URL, the appliance providing said URL to the user such that the user is able to enter into a content server session at an entry point represented in the proxy URL (see col. 7, lines 31-47).

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Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Salad E Abdullahi whose telephone number is 571-272-4009. The examiner can normally be reached on 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Abdullahi Salad
3/30/2005